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FM AMEMBASSY MEXICO
TO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE
RUEHC/SECSTATE WASHDC 9753
INFO RUEHDM/AMEMBASSY DAMASCUS 0028
RHMCSUU/FBI WASHINGTON DC
RUEAHLC/HOMELAND SECURITY CENTER WASHDC
RUEAIIA/CIA WASHDC

C O N F I D E N T I A L SECTION 01 OF 07 MEXICO 006009

SIPDIS

SENSITIVE
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STATE FOR S/CT KEN MCKUNE; NCTC; DHS

E.O. 12958: DECL: 12/03/2017
TAGS: ASEC CVIS ECON KVPR MX PGOV PINR PREL PTER
SUBJECT: RE: REQUEST FOR INFORMATION ON HOST GOVERNMENT
PRACTICES – INFORMATION COLLECTION, SCREENING AND SHARING

REF: SECSTATE 133921

Classified By: Charles Barclay, Political Counselor for
reasons 1.4(b) and (d)

¶1. (C) Below please find Post's responses regarding host
government's policies toward and capabilities for collection
of biographic and biometric data for terrorist screening
purposes.
The resonses are keyed to the questions per reftel.

¶A. Watchlisting:

-- If host government maintains a "watchlist," how many
records
does the watchlist contain, and how many are
terrorist-related?

MEXICO RETAINS A WATCHLIST MAY CONTAIN AS MANY AS
70,000 NAMES -- IT IS UNKNOWN HOW MANY ARE TERRORIST-RELATED

-- Which ministry or office maintains the watchlist?

MEXICO'S SECRETARIAT OF THE TREASURY AND PUBLIC CREDIT (SHCP)
KEEPS A DOMESTIC-BASED WATCHLIST SYSTEM.

¶B. Traveler Information Collection:

-- What are the country's policies (legislation, mandates,
etc.)
on collecting information from travelers arriving in the
country?

THE MEXICAN NATIONAL IMMIGRATION INSTITUTE (INM) COLLECTS
TRAVELER INFORMATION FROM TRAVELERS ARRIVING IN THE COUNTRY
VIA AIR.
ON ARRIVAL AT MAJOR AIRPORTS, INM SCANS INFORMATION FROM
PASSPORTS
AND COLLECTS DATA ON AIRLINE, FLIGHT NUMBERS, DATES OF ENTRY
AND
EXIT, DATE OF BIRTH, LAST NAME, TYPE OF TRAVEL DOCUMENT
PRESENTED,
PASSPORT NUMBER, AND COUNTRY OF ORIGIN.

-- Are there different policies for air, sea, and land entry
and
for domestic flights?

TRAVELERS ENTERING BY LAND OR SEA ARE NOT REGULARLY SCREENED
AND
ARE FREQUENTLY "WAIVED THROUGH" WITH NO ENTRY OF DATA

ELECTRONICALLY.

-- Who collects traveler information?

THE MEXICAN NATIONAL IMMIGRATION INSTITUTE (INM).

-- What are the policies of the collecting agency to share that
information with foreign governments?

INFORMATION SHARING MEMORANDA OF AGREEMENT ARE IN PLACE BETWEEN THE
GOM AND U.S. CUSTOMS AND BORDER PROTECTION (CBP).

-- Does the host government collect Passenger Name Record (PNR)
data on incoming commercial flights or vessels? Is this data
used for intelligence or law enforcement purposes to screen
travelers? Does host government have any existing treaties to
share PNR data?

NO, MEXICO DOES NOT COLLECT PNR DATA ON INCOMING COMMERCIAL FLIGHTS
OR VESSELS.

-- If applicable, have advance passenger information systems
(APIS), interactive advanced passenger information systems
(IAPIS), or electronic travel authority systems been effective at
detecting other national security threats, such as wanted
criminals?

THE ADVANCE PASSENGER INFORMATION SYSTEM (APIS) HAS WORKED WELL IN

MEXICO TO DETECT POTENTIAL SECURITY THREATS WITH TERRORIST
CONNECTIONS.

¶C. Border Control and Screening:

-- Does the host government employ software to screen travelers
of security interest?

NATIONAL IMMIGRATION INSTITUTE (INM) OFFICIALS AT THE POINTS OF
ENTRY ARE IN CHARGE OF QUESTIONING AND DENYING ENTRY INTO MEXICO.
SOFTWARE SYSTEMS ARE EMPLOYED TO SCREEN AIR TRAVELERS OF
SECURITY INTEREST.

-- Are all travelers tracked electronically, or only non-host-
country nationals? What is the frequency of travelers being
"waived through" because they hold up what appears to be an
appropriate document, but whose information is not actually
recorded electronically? What is the estimated percentage of
non-recorded crossings, entries and exits?

GOM TRACKS ALL INTERNATIONAL AIR TRAVELERS ELECTRONICALLY,
BUT NOT DOMESTIC AIR TRAVELERS. AIR TRAVELERS ARE TRACKED
ELECTRONICALLY ONLY ON ENTRY INTO THE COUNTRY, BUT TRAVEL
DOCUMENTS ARE GENERALLY NOT VALIDATED ON EXIT. AS OPPOSED TO
AIR TRAVEL, TRAVELERS ENTERING BY LAND OR SEA ARE NOT ACTUALLY
SCREENED NOR RECORDED ELECTRONICALLY AND ARE FREQUENTLY "WAIVED
THROUGH." THE PERCENTAGE OF NON-RECORDED CROSSINGS, ENTRIES
AND EXITS IS NOT KNOWN.

-- Do host government border control officials have the authority
to use other criminal data when making decisions on who can enter
the country? If so, please describe this authority (legislation,

mandates, etc).

GOM IMMIGRATION REGULATIONS GIVE THE NATIONAL IMMIGRATION
INSTITUTE INM CONSIDERABLE LEGAL AUTHORITY TO DETAIN OR DENY
ENTRY TO ARRIVING VISITORS.

 -- What are the host government's policies on questioning,
detaining and denying entry to individuals presenting
themselves
at a point of entry into the country? Which agency would
question, detain, or deny entry?

GOM IMMIGRATION REGULATIONS GIVE THE NATIONAL IMMIGRATION
INSTITUTE INM CONSIDERABLE LEGAL AUTHORITY TO DETAIN OR DENY
ENTRY TO ARRIVING VISITORS, BUT ONLY FOR A SHORT PERIOD OF
TIME.
PROLONGED DETENTIONS NEED TO BE LEGALLY JUSTIFIED TO AVOID
HUMAN/CIVIL RIGHTS ACCUSATIONS.

IF AN INDIVIDUAL IS DETAINED AT AN AIRPORT AND FOUND TO BE
CARRYING FALSE IDENTIFICATION, THAT INDIVIDUAL MAY BE
DENIED ENTRY AND RETURNED TO THE PREVIOUS POINT OF
DEPARTURE. THIS APPEARS TO BE THE CASE ONLY WHEN THE
AIRLINE IS RESPONSIBLE FOR THE RETURN FLIGHT OF THE
INDIVIDUAL. UNDER MOST CIRCUMSTANCES, THE INDIVIDUAL WILL
BE MOVED TO A DETENTION FACILITY WHERE THEY MAY BE DETAINED
FOR UP TO 90 DAYS. UPON RELEASE, THE INDIVIDUAL IS
GENERALLY GIVEN A 10 TO 15 DAY EXIT PASS TO LEAVE THE
COUNTRY.

-- How well does information sharing function within the host
government, e.g., if there is a determination that someone
with a
valid host-government visa is later identified with terrorism,
how is this communicated and resolved internally?

GOM HAS INTERNAL PROTOCOLS IN PLACE TO DEAL WITH PERSONS OF
INTEREST. IF AN INDIVIDUAL IS DETERMINED TO HAVE A
TERRORISM NEXUS, MEXICO'S CENTER FOR INVESTIGATION AND
NATIONAL
SECURITY (CISEN) IS THE ENTITY RESPONSIBLE FOR TAKING
ACTION AND LIAISES WITH OPAD. ALL ISSUES OF MALA FIDE
TRAVELERS ARE HANDLED BY THE NATIONAL IMMIGRATION INSTITUTE
(INM), LIAISING WITH U.S. CUSTOMS AND BORDER PATROL (CBP).

¶D. Biometric Collection:

-- Are biometric systems integrated for all active POEs? What
are the systems and models used?

THERE IS NO DIGITAL BIOMETRIC COLLECTION FOR MOST
TRAVELERS. DOCUMENTS, NOT BIOMETRICS, ARE CHECKED FOR
AUTHENTICITY. THERE IS NO NATIONWIDE FINGERPRINT DATABASE
OR SYSTEM.

-- Are all passengers screened for the biometric or does the
host government target a specific population for collection
(i.e.
host country nationals)? Do the biometric collection systems
look
for a one to one comparison (ensure the biometric presented
matches the one stored on the e-Passport) or one to many
comparison (checking the biometric presented against a
database
of known biometrics)?

THE NATIONAL IMMIGRATION INSTITUTE (INM) COLLECTS
FINGERPRINTS
OF FOREIGN TRAVELERS OF INTEREST THAT HAVE BEEN DETAINED FOR
ILLEGAL
ENTRY INTO MEXICO. THESE FINGERPRINTS ARE MAINLY MANUAL AND
INK
BASED, BUT SOME ELECTRONIC SYSTEMS DO EXIST AT THE MAIN
POINTS OF ENTRY

AND AT THE MAIN DETENTION FACILITY AT VERGEL. BOTH INM AND
THE CENTER FOR INVESTIGATION AND NATIONAL SECURITY (CISEN)
MAINTAIN
FINGERPRINT SYSTEMS, BUT DO NOT NORMALLY EXCHANGE INFORMATION.

-- If biometric systems are in place, does the host government
know of any countermeasures that have been used or attempted
to
defeat biometric checkpoints?

NOT APPLICABLE.

-- What are the host government's policies on collecting the
fingerprints of travelers coming into the country?

THIS IS ONLY DONE WHEN THE PERSON IS ARRESTED BY THE NATIONAL
IMMIGRATION INSTITUTE (INM).

-- Which agency is responsible for the host government's
fingerprint system?

OFFICIALLY, THE NATIONAL IMMIGRATION INSTITUTE (INM) IS
RESPONSIBLE FOR
FINGERPRINTING TRAVELERS. CISEN, HOWEVER, ALSO HAS ITS OWN
FINGERPRINTING SYSTEM.

-- Are the fingerprint programs in place NIST, INT-I, EFTS,
UK1
or RTID compliant?

NOT APPLICABLE.

-- Are the fingerprints collected as flats or rolled? Which
agency collects the fingerprints?

FINGERPRINTING IN MEXICO IS MOSTLY MANUAL. OTHER PRINT
TECHNOLOGIES HAVE NOT PROLIFERATED THROUGHOUT MEXICO.

¶E. Passports:

-- If the host government issues a machine-readable passport
containing biometric information, does the host government
share
the public key required to read the biometric information with
any other governments? If so, which governments?

MEXICAN MACHINE READABLE PASSPORTS CONTAIN NO BIOMETRIC
INFORMATION, ONLY THE BEARER'S SIGNATURE AND IMAGE.

-- Does the host government issue replacement passports for
full
or limited validity (e.g. the time remaining on the original
passports, fixed validity for a replacement, etc.)?

REPLACEMENT PASSPORTS ARE ISSUED FOR FULL VALIDITY, ALTHOUGH
THOSE APPLYING FOR PASSPORTS MAY CHOOSE TO PAY GRADUATED FEES

FOR
VALIDITY PERIODS OF ONE, THREE OR FIVE YEARS.

-- Does the host government have special
regulations/procedures
for dealing with "habitual" losers of passports or bearers who
have reported their passports stolen multiple times?

THERE DO NOT APPEAR TO BE ANY SPECIAL REGULATIONS OR
PROCEDURES
AT PRESENT IN MEXICO FOR DEALING WITH "HABITUAL" PASSPORT
LOSERS.

-- Are replacement passports of the same or different
appearance
and page length as regular passports (do they have something
along the lines of our emergency partial duration passports)?

NO, REPLACEMENT PASSPORTS ARE IDENTICAL TO STANDARD
PASSPORTS.

-- Do emergency replacement passports contain the same or
fewer
biometric fields as regular-issue passports?

NOT APPLICABLE

-- Where applicable, has Post noticed any increase in the
number
of replacement or "clean" (i.e. no evidence of prior travel)
passports used to apply for U.S. visas?

POST HAS NOT OBSERVED A NOTICEABLE INCREASE IN THE NUMBER OF
REPLACEMENT PASSPORTS USED TO APPLY FOR U.S. VISAS.

-- Are replacement passports assigned a characteristic number
series or otherwise identified?

NO.

¶F. Fraud Detection

- How robust is fraud detection and how actively are
instances
of fraud involving documents followed up?

MEXICAN FRAUD PREVENTION EFFORTS AT POINTS OF ENTRY ARE
BELIEVED TO BE INCONSISTENT AND NOT TERRIBLY EFFECTIVE.
MANY SPECIAL INTEREST ALIENS USE FRAUDULENT PASSPORTS FROM
THIRD PARTY COUNTRIES.

AMEMBASSY MEXICO CITY'S FRAUD PREVENTION UNIT HAS BEEN ACTIVE
IN
TRAINING AIRPORT CUSTOMS OFFICIALS IN MEXICO IN FRAUD
DETECTION TECHNIQUES.

-- How are potentially fraudulently issued documents taken
out
of circulation, or made harder to use?

THESE DOCUMENTS ARE CONFISCATED BY THE NATIONAL IMMIGRATION
INSTITUTE (INM) DURING DETENTION. THE LEGITIMACY OF BIRTH
CERTIFICATES, VOTER IDENTIFICATION CARDS, OR PROFESSIONAL
LICENSES (CEDULAS PROFESIONALES) MAY BE CHECKED THROUGH
MEXICAN CIVIL
REGISTRIES OR ONLINE DATA BASES.

WHILE THE MEXICAN PASSPORT ITSELF IS VERY SECURE, FPU
AMBEMBASSY MEXICO CITY HAS A NUMBER OF CONCERNS REGARDING THE
SECURITY
OF THE APPLICATION PROCESS ITSELF. MEXICAN PASSPORTS ARE
ISSUED BY 113 LOCAL GOVERNMENTS, AND IN A NUMBER OF INSTANCES,
NON-MEXICANS HAVE ACQUIRED VALID MEXICAN PASSPORTS WITH FALSE
DOCUMENTATION. FPU MEXICO CITY IS WORKING WITH THE
SECRETARIAT

SIPDIS
OF FOREIGN RELATIONS (SRE) TO ADDRESS THIS ISSUE AND TO
ESTABLISH A
FRAUD PREVENTION PROGRAM WITHIN SRE.

¶G. Privacy and Data Security

-- What are the country's policies on records related to the
questioning, detention or removal of individuals encountered
at
points of entry into the country? How are those records

stored,
and for how long?

MOST OF MEXICO'S ENTRY RECORDS HAVE BEEN RECENTLY
COMPUTERIZED.

IT IS NOT KNOWN HOW AND FOR HOW LONG HARD COPIES OF SUCH
RECORDS
ARE MAINTAINED.   SUCH RECORDS ARE NOT AVAILABLE TO THE
GENERAL PUBLIC.

IT IS NOT KNOWN IF GOM HAS RESTRICTIONS ON THE
COLLECTION OR USE OF SENSITIVE DATA, PUBLIC NOTICE
REQUIREMENTS PRIOR TO IMPLEMENTING NEW DATABASES, SECURITY
FEATURES ON GOVERNMENT COMPUTER SYSTEMS HOLDING PERSONAL
INFORMATION, INDIVIDUAL RIGHTS TO ACCESS PERSONAL DATAM, OR
WHETHER NON-CITIZENS HAVE THE RIGHT TO ACCESS SUCH DATA.

-- What are the country's restrictions on the collection or
use
of sensitive data?

NO SUCH RESTRICTIONS ARE KNOWN TO EXIST.

-- What are the requirements to provide notice to the public
on
the implementation of new databases of records?

NO SUCH REQUIREMENTS ARE KNOWN TO EXIST.

-- Are there any laws relating to security features for
government computer systems that hold personally identifying
information?

NO SUCH LAWS ARE KNOWN TO EXIST.

-- What are the rules on an individual's ability to access
data
that homeland security agencies hold about them?

THERE ARE NO LAWS OR REGULATIONS IN MEXICO DETAILING AN
INDIVIDUAL'S RIGHT TO ACCESS SUCH DATA.

-- Are there different rules for raw data (name, date of
birth,
etc.) versus case files (for example, records about
enforcement
actions)?

NOT KNOWN AT THIS TIME.

-- Does a non-citizen/resident have the right to sue the
government to obtain these types of data?

NO.

¶H.   Immigration Data Bases:

-- What computerized immigration databases are used to track
entries and exits?

MEXICO'S MIGRATION OPERATION INTEGRAL SYSTEM (SIOM) IS A
COMPUTERIZED IMMIGRATION DATABASE, FUNDED BY THE DEPARTMENT
OF
STATE'S NARCOTICS AND AFFAIRS SECTION (NAS) AND MANAGED BY
THE NATIONAL IMMIGRATION INSTITUTE (INM).   THIS DATABASE
TRACKS
ONLY ENTRIES, NOT EXITS.

-- Is the immigration database available at all ports of
entry
(POEs)?

YES.

-- If immigration databases are available at some POEs,
but not all, how does the host government decide which POEs
will
receive the tool?

NOT APPLICABLE.

-- What problems, if any, limit the effectiveness of the
systems? For example, limited training, power brownouts,

budgetary restraints, corruption, etc.?

SIOM'S FEATURES HAVE BEEN DEVELOPED SPORADICALLY OVER SEVERAL
YEARS,
WHICH HAS CAUSED A NUMBER OF PROBLEMS IN TERMS OF
FUNCTIONALITY.

-- How often are national immigration databases updated?

SIOM IS UPDATED DAILY.

¶I. Watchlist and Information Sharing:

-- Is there a name-based watchlist system used to screen
travelers at POEs?

YES.

-- What domestic sources of information populate the
name-based
watchlist, i.e. names of deported persons, terrorist lookouts,
criminal wants/warrants?

MEXICO'S MIGRATION OPERATION INTEGRAL SYSTEM (SIOM) IS
POPULATED
WITH INFORMATION ON POTENTIAL TERRORISTS, INTERPOL WARRANTS,
AND
DOCUMENT FRAUD LOOKOUTS.

-- What international watchlists do the host government use
for
screening individuals, e.g. Interpol or TSA No Fly lists, UN,
etc.?

TERRORIST IDENTITIES DATAMART ENVIRONMENT (TIDE), NO FLY,
INTERPOL.

-- What bilateral/multilateral watchlist agreements exist
between host government and its neighbors?

GOM SIGNED AN ADVANCE PASSENGER INFORMATION SYSTEM (APIS)
AGREEMENT
AFTER THE SEPTEMBER 11 TERRORIST ATTACKS.

MEXICO'S CENTER FOR INVESTIGATION AND NATIONAL SECURITY
(CISEN)
RECEIVES TERRORISM SCREENING CENTER (TSC) BASED TEXT HITS ON
THE
FOREIGN TRAVEL OF TSC TARGETS. THESE HITS CONTAIN ONLY THE
TRAVEL
ITINERARY AND THE INDIVIDUAL'S NAME, PLACE AND DATE OF BIRTH.

CISEN IS THEN REQUIRED TO CONTACT U.S. EMBASSY AGENCIES TO
COORDINATE DESIRED ACTION.

¶J. Biometrics:

-- Are biometric systems in place at ports of entry (air,
land,
sea)? If no, does host government have plans to install such
a
system?

NO SUCH SYSTEMS CURRENTLY EXIST, BUT PLANS TO INSTALL THEM
ARE
BELIEVED TO EXIST.

-- If biometric systems are available at some POEs, but not
all,
how does the host government decide which POEs will receive
the
tool?

NOT APPLICABLE.

-- What biometric technologies, if any, does the host government
use, i.e. fingerprint identification, facial recognition, iris
recognition, hand geometry, retinal identification, DNA-based
identification, keystroke dynamics, gait analysis? Are the
systems ICAO compliant?

NOT APPLICABLE.

-- Does the host government issue a machine-readable passport
containing biometric information? If e-Passports are issued,
what biometric information is included on the document, i.e.

fingerprint, iris, facial recognition, etc? If not, does host
government plan to issue a biometric document in the future?
When?

GOM'S MACHINE READABLE PASSPORT DOES NOT CONTAIN BIOMETRIC
INFORMATION.
IT IS NOT KNOWN IF GOM PLANS TO ISSUE A BIOMETRIC DOCUMENT IN
THE
FUTURE.

¶K. Identifying Appropriate Partners:
Department would appreciate post's assessment of whether host
government would be an appropriate partner in data sharing.
Considerations include whether host government watchlists may
include political dissidents (as opposed or in addition to
terrorists), and whether host governments would share or use
U.S.
watchlist data inappropriately, etc.

-- Are there political realities which would preclude a
country
from entering into a formal data-sharing agreement with the
U.S?

GIVEN THE TUMULTUOUS HISTORY OF MEXICAN-U.S. RELATIONS, THERE
IS
A POLITICAL STIGMA THROUGHOUT MEXICO'S POLITICAL SYSTEM FOR
APPEARING TO BE TOO CLOSE TO OR COOPERATIVE WITH THE U.S.
HOWEVER,
COOPERATION BETWEEN THE U.S. AND MEXICO HAS EXPANDED
SIGNIFICANTLY
UNDER THE CALDERON ADMINISTRATION AND COULD IMPROVE EVEN
FURTHER
WITH ADOPTION OF THE "MERIDA INITIATIVE" WHICH ENVISIONS
EXPANDED U.S. COOPERATION WITH AND ASSISTANCE TO
MEXICO TO STRENGTHEN EFFORTS TO COMBAT NARCOTICS TRAFFICKING.

-- Is the host country's legal system sufficiently developed
to
adequately provide safeguards for the protection and
nondisclosure of information?

GOM DOES NOT MAINTAIN ADEQUATE LEGAL STANDARDS FOR OPEN
SHARING OF
INFORMATION COLLECTED USING U.S. WATCHLIST, DATA AND
EQUIPMENT.

-- How much information sharing does the host country do
internally? Is there a single consolidated database, for
example? If not, do different ministries share information
amongst themselves?

GOM DOES NOT MAINTAIN A CENTRAL CONSOLIDATED DATABASE OF
WATCHLISTED INDIVIDUALS. SOME AGENCIES SUCH AS CISEN AND INM
MANAGE THEIR OWN WATCHLISTS, BUT CONFLICT AMONG THE VARIOUS
LAW
ENFORCEMENT AND INTELLIGENCE AGENCIES LIMIT THE HOST
GOVERNMENT'S CAPABILITIES TO SHARE INFORMATION INTERNALLY.
MOST INFORMATION IS COMPARTMENTALIZED BY AGENCY.

-- How does the country define terrorism? Are there legal

statutes that do so?

ARTICLE 139 OF THE FEDERAL PENAL CODE DEFINES TERRORISM AS
THE
USE OF EXPLOSIVES, TOXIC SUBSTANCES, FIREARMS, OR ARSON,
FLOODING,
OR ANY OTHER VIOLENT MEANS COMMITTED AGAINST PERSONS, THINGS,
OR
PUBLIC SERVICES THAT PRODUCE ALARM, FEAR, OR TERROR IN THE
PUBLIC
OR IN A GROUP OR SECTOR THEREIN, IN ORDER TO DISRUPT THE
PUBLIC PEACE
OR FOR THE PURPOSE OF UNDERMINING THE AUTHORITY OF THE STATE,
OR TO
PRESSURE SUCH AUTHORITY TO MAKE CERTAIN DECISIONS.

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GARZA